

Bernard F. King III, SBN 232518
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Attorney for Plaintiff Anthony Johnson

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

ANTHONY JOHNSON, an individual,
Plaintiff,
v.
STORIX, INC., a California corporation,
Defendant.

AND RELATED COUNTERCLAIMS

Case No. 14-cv-1873 H (BLM)

NOTICE OF MOTION AND MOTION FOR (1)
AN ORDER QUASHING STORIX' WRIT OF
EXECUTION; (2) A PROTECTIVE ORDER
STAYING POST-JUDGMENT DISCOVERY;
AND (3) AN ORDER STAYING
ENFORCEMENT OF THE JUDGMENT

DATE: July 3, 2017
TIME: 10:30 am

Courtroom: 15A (15th Floor - Carter/Keep)
Judge: Hon. Marilyn L. Huff
Magistrate: Hon. Barbara L. Major

Complaint Filed: August 8, 2014
Judgment Entered: December 18, 2015
Amd. Judgment Entered: November 16, 2016

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CASE NO. 14-CV-1873 H (BLM)

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that at 10:30 am on July 3, 2017, in Courtroom 15A, on the 15th Floor of the James M. Carter and Judith N. Keep United States Courthouse, 333 West Broadway San Diego, California, Plaintiff and Counter-Defendant Anthony Johnson will, and hereby does, move the Court for (1) an order quashing Defendant and Counter-Claimant Storix, Inc.'s writ of execution; (2) a protective order staying post-judgment discovery; and (3) an order staying enforcement of the judgment pursuant to Rule 69(a)(1) of the Federal Rules of Civil Procedure. Alternatively, Plaintiff also moves for reconsideration of the Court's December 13, 2016 order denying Plaintiff's request for a discretionary stay pursuant to Rule 62(d) of the Federal Rules of Civil Procedure.

Plaintiff's motion is based on this notice, the concurrently filed memorandum of points and authorities, the concurrently filed Declaration of Bernard F. King III and the exhibit attached thereto, the papers previously filed in this action, and upon such further evidence, argument, and authority as may be presented at the time of the hearing.

DATED: May 31, 2017

Respectfully submitted,

LAW OFFICES OF BERNARD F. KING III

By: s/Bernard F. King III
BERNARD F. KING III
Attorney for Plaintiff
bking@bernardkinglaw.com

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I am over the age of 18 years and not a party to the action; I work in the County of San Diego, California where the mailing occurs, and my business address is 1455 Frazee Road, Suite 500, San Diego, CA 92108.

Paul A. Tyrell, Esq.
Sean M. Sullivan, Esq.
PROCOPIO CORY HARGREAVES & SAVITCH
525 B Street, Suite 2200
San Diego, CA 92101

Attorneys for Defendant
STORIX, INC.
Paul.tyrell@procopio.com
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Executed on May 31, 2017, at San Diego, California.

BERNARD F. KING III